



**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Serial No. : 10/790,931  
Applicants : Takemori TAKAYAMA et al.  
Filed : March 1, 2004  
For : ROLLING ELEMENT AND METHOD  
OF PRODUCING THE SAME  
Art Unit : 1793  
Examiner : Deborah YEE  
Docket No. : 04005/HG  
Customer No.: 01933  
Confirm. No.: 3234

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**MAIL STOP AF**

S I R :

The owner of a 100% interest in the above-identified present  
application, namely, the Assignee of record:

Assignee: KOMATSU LTD.

Assignment recorded on: March 4, 2004

Reel: 015047

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hereby disclaims, except as provided below, the terminal part of  
the statutory term of any patent granted on the above-identified

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Dorothy DeFrancesco

In the event that this Paper is late  
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this as a Petition for the requisite  
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not tendered by Form PT0-2038 attached  
hereto, authorization to charge the  
extension fee, or any other fee  
required in connection with this  
Paper to Account No. 06-1378.

present application, which extends beyond the expiration date of the full statutory term (defined in 35 USC 154 to 156) of any patent granted on commonly owned pending reference application Serial No. 10/790,959, filed on March 1, 2004, as such term is defined in 35 USC 154 and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application.

The owner also hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that it and any patent granted on said pending reference application are commonly owned.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-identified present application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent granted on the pending reference application expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily

disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

This Agreement is to run with any patent granted on the present application and is to be binding upon the grantee, its successors or assigns.

The undersigned is an attorney of record of the above-identified present application Serial No. 10/790,931 and has been authorized to sign this Terminal Disclaimer on behalf of the above-identified owner.

Enclosed is a Form PTO-2038 in the amount of \$130 to cover the USPTO fee under 37 CFR 1.20(d). If any further fees are required, authorization is given to charge the same against Deposit Account No. 06-1378.

Date: May 14, 2008

By:



Richard S. Barth  
Reg. No. 28,180  
Attorney of Record

FRISHAUF, HOLTZ, GOODMAN & CHICK, P.C.  
220 FIFTH AVENUE, 16th FLOOR  
NEW YORK, NEW YORK 10001-7708  
Tel. Nos. (212) 319-4900  
(212) 319-4551/Ext. 219  
Fax No. (212) 319-5101  
E-Mail Address: BARTH@FHGC-LAW.COM  
Enc.: FORM PTO-2038